IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 13920 of 2004

Between:

1 Ch.Veeraiah, s/o Nagaiah,

ICHP, KTPS, Paloncha, Khammam District.
2 Md.Afzal, s/o Yousuf,
ICHP, KTPS, Paloncha, Khammam District.

..... PETITIONERS

AND

1 The A.P.Generation Corporation Ltd., rep., by its Chairman &

Managing Director, Vidyut Soudha, Somajiguda, Hyderabad.
2 The Chief Engineer, (O&M), A.P.Generation Corporation Ltd.,
Kotagudem Thermal Power Station, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not considering the appeal dt.12-2-2004 filed by the petitioners aggrieved by the Memo No.CE/O&M/KTPS/Adm/C5/D.No.2866/03, dt.10-9-2003 issued by the 2nd respondent in rejecting the case of the petitioner for absorption is as arbitrary, illegal and violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the 1st respondent to consider the appeal dated 12-2-2004 filed by the petitioners aggrieved by the Memo No.CE/O&M/KTPS/ADM/C5/D.No.2866/2003, dated 10-9-2003 issued by the 2nd respondent rejecting the case of the petitioners and consequently to direct the respondents to absorb the petitioner against 33 abolished categories of employment under G.O.Ms.No.41 Labour Employment, dt.23-9-1996 and pass such other order or orders.

Counsel for the Petitioner: MR.G.CHANDRAIAH

Counsel for the Respondent Nos.1 & 2: SMT.K.SESHARAJYAM

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.13920 OF 2004

ORDER:

The petitioners are contract labour working in the respondent Corporation. The second respondent passed an order on 10-09-2003 rejecting the case of the petitioners for absorption into regular posts of the respondent corporation. The petitioners stated that against the order of rejection dated 10-09-2003 passed by the second respondent, they preferred appeal on 12-02-2004 to the first respondent. The grievance of the petitioners is that the first respondent so far did not pass any orders on the appeal preferred by them. Therefore, they approached this Court seeking a direction to the first respondent to dispose of the appeal within a reasonable time.

2. Keeping in view the circumstances explained by the learned counsel for the petitioner and the contents of the petition, the first respondent is directed to dispose of the appeal preferred by the petitioners on 12-02-2004 within two months from the date of receipt of a copy of this order, on merits and communicate the order to the petitioners.

The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

09th August, 2004

SKM

TO

1 The Chairman & Managing Director, A.P. Generation Corporation Ltd.,

Vidyut Soudha, Somajiguda, Hyderabad.

2 The Chief Engineer, (O&M), A.P.Generation Corporation Ltd.,

Kotagudem Thermal Power Station, Khammam District.

3 Two C.D.Copies.